

CITY OF HARTFORD BID ATTACHMENTS

This Bid is being set-aside in accordance with City Ordinances amending Section 2-559 of the Hartford Municipal Code. For your information, the ordinance reads as follows:

Be It Ordained by the Court of Common Council of City of Hartford:

That Chapter 2, Article VII, Division 3 of the Municipal Code be amended by adding the following thereto:

Section 2-559. **SET-ASIDE PROGRAM FOR SMALL CONTRACTORS AND MINORITY BUSINESS ENTERPRISES.**

a) *Definitions.* As used in this section the following terms have the following meanings:

(1) *Minority* means:

- a. Black Americans, including all persons having origins in any of the Black African racial groups not of Hispanic origin,
- b. Hispanic Americans, including all persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race,
- c. Women,
- d. Asian Pacific Americans and Pacific Islanders, or
- e. American Indians and persons having origins in any of the original peoples of North America and maintaining identifiable tribal affiliations through membership and participation or community identification;

(2) "*Small Contractor*" means any contractor, subcontractor, manufacturer or service company which has been doing business and has maintained its principal place of business in the state for a period of at least one (1) year prior to the date of application for certification under this section and which had gross revenues not exceeding three million dollars (\$3,000,000.00) in the most recently completed fiscal year prior to such application. Notwithstanding the provisions of this section, the city may, by means of administrative regulation, change the gross revenue amount to correspond with changes in the state's gross revenue amount. In case of any conflict between this section and the city's administrative regulations regarding the gross revenue amount, the administrative regulations adopted pursuant to this section shall control.

(3) "*Minority Business Enterprise*" means any small contractor, fifty-one (51%) percent or more of the capital stock, if any, or assets of which is owned by persons who:

- a. Are active in the daily affairs of the enterprise,
- b. Have the power to direct the management and policies of the enterprise, and
- c. Are members of a minority.

(b) *Percentage of city contracts allotted.* Under the provisions of section 7-148u of the general statutes, there shall be set aside in each fiscal year, for award to small contractors on the basis of a competitive bidding procedure, city contracts or portions of city contracts for the construction, reconstruction or rehabilitation of public buildings, the construction and maintenance of highways and the purchase of goods and services. The total value of such contracts or portions thereof to be set aside shall not be more nor less than twenty-five (25%) percent of the average of the total value of all such contracts let by the city for each of the previous three (3) fiscal years, provided a contract that may not be set aside due to a conflict with a federal law or regulation shall not be included in the calculation of such average. Contracts or portions thereof having a value of not

less than twenty-five (25%) percent of the total value of all contracts or portions thereof to be set aside shall be reserved for awards to minority business enterprises.